

Remarks

Claims 9-13 and 16 are canceled.

Claims 1, 3-8, 15, 17 and 20 are amended.

Claims 1-8, 14-15 and 17-21 are now pending.

The present claims are amendeded to delete non-elected subject matter.

Claims 3 and 4 are amended to remove the abbreviations and to correctly spell "terephthalate".

The claims are otherwise amended to be consistent with claim 1.

No new matter is added.

The Action states that claims 6 and 7 are withdrawn. Applicants note that claims 6 and 7 are generic to the elected specie of phosphonate of formula IV. Applicants respectfully request that claims 6 and 7 be rejoined.

Claims 3 and 4 are objected to as containing abbreviations. Claims 3 and 4 are repaired by amendment.

Claims 1-5, 8, 14, 15 and 17-21 are rejected under 35 USC 103(a) as being unpatentable over Pfaendner, et al., U.S. Pat. No. 6,028,129 in view of Loontjens, et al., U.S. Pat. No. 6,395,869.

Pfaendner is cited as disclosing polyester melt compounded with a phosphonate.

Loontjens is cited as teaching bislactam compounds useful for increasing the molecular weight of a polyamide or polyester.

To rebut these rejections, Applicants point to the surprising results of the working Examples. Please see the Examples on pages 48-49. IRGAMOD 195 is a phosphonate of present formula (IV).

ALLINCO is a bis-acyllactam of present formula (Ia). The compounds separately and together are melt compounded with polyethylene terephthalate. The b^* (yellow) value of the pellets containing 0.3% ALLINCO is 5.3. The b^* value of the pellets containing 0.1% IRGAMOD 195 is 2.1. Surprisingly, the b^* value of the pellets containing 0.3% ALLINCO and 0.1% IRGAMOD 195 is -0.2. Rather than increasing the yellowing of the pellets, the combination unexpectedly lowers the yellow value. These results are surprising and unexpected.

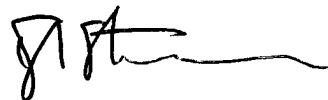
In view of the unexpected superior color achieved with the present combination of additives, Applicants submit that these rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are now in condition for allowance and respectfully request that they be found allowable.

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Respectfully submitted,



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Attachment: Petition for a 1 month extension of time

September 28, 2009